

CWP No. 17660 of 2022

[1]

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP No. 17660 of 2022

Date of decision: 16th January, 2023

Neeraj Kumar

Petitioner

Versus

State of Haryana and others

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Swarn Tiwana, Advocate for the petitioner.
Mr. Samarth Sagar, Additional Advocate General, Haryana.

AVNEESH JHINGAN, J (Oral):

This writ petition in the nature of *certiorari* is filed aggrieved of Annexure P2 whereby the arms licence of the petitioner was suspended.

The petitioner was holding arms licence No. 449/XII/DM/JJR/2019. It was valid upto 13.12.2022. The petitioner was named in FIR No. 234 dated 10.4.2020 under Section 25 of the Arms Act, 1959 and 188 IPC, registered at Police Station Sadar Hisar. After registration of the FIR, the arms licence of the petitioner was suspended as he was violating COVID-19 restrictions and was roving with his licensed weapon.

Learned counsel for the petitioner submits that as the trial court has not framed the charge under the Arms Act, there is no occasion for the respondents to suspend the arms licence.

Learned counsel for the State submits that out-come of the trial is being awaited and that validity of the arms licence of the petitioner has expired.

Without commenting on the merits of the case, the present petition is disposed of with a direction to respondent No. 2 to finally decide

the issue with regard to the arms licence held by the petitioner, after granting him opportunity of hearing.

[AVNEESH JHINGAN]
JUDGE

16th January, 2023
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1. Whether speaking/ reasoned

:

Yes / No
2. Whether reportable

:

Yes / No